

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>ROBERT LEE WOODS,</b>	)	<b>CASE NO. 1:15 CV 610</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE DAN AARON POLSTER</b>
	)	
<b>vs.</b>	)	<b><u>OPINION AND ORDER</u></b>
	)	
<b>COMMISSIONER OF SOC. SEC. ADMINISTRATION,</b>	)	
	)	
<b>Defendant.</b>	)	

Before the Court is the Report and Recommendation of Magistrate Judge Kathleen B. Burke (“R & R”) issued and served on counsel for Plaintiff Robert Lee Woods via the Court’s electronic case filing system on December 1, 2015. (Doc #: 18.)

Plaintiff seeks judicial review of the decision of the Commissioner of Social Security denying his application for Social Security Disability Insurance Benefits with an alleged onset date of May 9, 2010. In an exhaustive 21-page R & R, the Magistrate Judge recommends that the Court affirm the Commissioner’s decision and dismiss the complaint in its entirety with prejudice. The Magistrate Judge also informed counsel for Plaintiff that any objections to the R & R must be filed within fourteen days of its service. (Id. at 21.)

Under the relevant statute:

Within *fourteen days* after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1) (emphasis added). In this case, 17 days have elapsed since the R & R was issued, and Plaintiff has filed neither an objection nor a request for an extension of time to file one.

The failure to timely file written objections to an R & R constitutes a waiver of a *de novo* review by the district court of any issues covered in the R & R. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

Despite the lack of objection, the Court has reviewed the Magistrate Judge's thorough, well-written R & R, agrees with the Magistrate Judge's findings, and **ADOPTS** the Magistrate Judge's recommendation that the Commissioner's decision be **AFFIRMED** and the complaint **DISMISSED WITH PREJUDICE**.

**IT IS SO ORDERED.**

/s/ Dan A. Polster    December 18, 2015  
**Dan Aaron Polster**  
**United States District Judge**